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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.     | CONFIRMATION NO. |
|--|-------------|----------------------|-------------------------|------------------|
| 10/004,443   | 12/05/2001  | Kim Kwee Ng          |                         | 9689             |
| 7590   | 10/03/2003  |                      | EXAMINER                |                  |
| Kim Kwee NG<br>Selden Post Office<br>PO Box 379<br>Selden, NY 11784-0379 |             |                      | BALSIS, SHAY L          |                  |
|  |             |                      | ART UNIT                | PAPER NUMBER     |
|  |             |                      | 1744                    | 3                |
|  |             |                      | DATE MAILED: 10/03/2003 |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                           |                  |
|------------------------------|---------------------------|------------------|
| <b>Office Action Summary</b> | Application No.           | Applicant(s)     |
|                              | 10/004,443                | NG, KIM KWEE     |
|                              | Examiner<br>Shay L Balsis | Art Unit<br>1744 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 22 March 2003.

2a) This action is FINAL.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-20 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-3,6-10,13,14 and 19 is/are rejected.

7) Claim(s) 4-5, 9-20 is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 05 December 2001 is/are: a) accepted or b) objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) All b) Some \* c) None of:

    1. Certified copies of the priority documents have been received.

    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    \* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.

4) Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609 A(1) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

### ***Oath/Declaration***

2. Receipt is acknowledged of papers filed under 35 U.S.C. 119 (e) based on a provisional application filed on 12/25/2001. A new oath, declaration or application data sheet is required in the body of which the present application should be identified by application number and filing date.

### ***Claim Objections***

3. Claim 9 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 3. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

4. Claim 15 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 4. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim

to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

5. Claim 17 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 5. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

#### ***Claim Rejections - 35 USC § 112***

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 7, 14 and 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 7, 14 and 19 recite the limitation "the edges of said wall" in line 19. There is insufficient antecedent basis for this limitation in the claim.

#### ***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.  
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an

international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1-3, 7, 9-10 and 14 rejected under 35 U.S.C. 102(e) as being anticipated by Specht (USPN 6427280).

‘280 teaches a mop for cleaning floors comprising a handle (41), a mop element (47) and a wringing member (54). The wringing member is a hollow body that slides over the mop element. There are obstructing means or longitudinal walls (56) that protrude from the interior wall surface of the wringing member to engage and confine the mop element, thereby preventing slippage of the mop strands upon rotation of the wringing member with respect to the handle. The longitudinal walls have edges that are irregularly shaped (see figure 3) to aid in entrapment of the strands when wringing. The mop further comprises a retainer (70) for releasably attaching the wringer to the mop handle (see figures 9 and 10).

10. Claims 1-3, 7, 9-10 and 14 rejected under 35 U.S.C. 102(b) as being anticipated by Yates et al. (USPN 5060338).

‘338 teaches a mop for cleaning floors comprising a handle (32), a mop element (40) and a wringing member (50). The wringing member is a hollow body that slides over the mop element. There are obstructing means or longitudinal walls (71) that protrude from the interior wall surface of the wringing member to engage and confine the mop element, thereby preventing slippage of the mop strands upon rotation of the wringing member with respect to the handle. The longitudinal walls have edges that are irregularly shaped (see figure 3) to aid in entrapment of the strands when wringing. The mop further comprises a retainer (60, 63) for releasably attaching the wringer to the mop handle (see figure 2).

11. Claims 1-3 and 9-10 rejected under 35 U.S.C. 102(b) as being anticipated by Morad (USPN 6125494).

‘494 teaches a mop for cleaning floors comprising a handle (12), a mop element (16) and a wringing member (14). The wringing member is a hollow body that slides over the mop element. There are obstructing means or longitudinal walls (40) that protrude from the interior wall surface of the wringing member to engage and confine the mop element, thereby preventing slippage of the mop strands upon rotation of the wringing member with respect to the handle. The mop further comprises a retainer (58) for releasably attaching the wringer to the mop handle (see figure 2).

***Claim Rejections - 35 USC § 103***

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Specht (USPN 6427280), Yates (USPN 5060338) and Morad (USPN 6125494) all in view of Facca (USPN 5996161).

Specht, Yates and Morad teach all the essential elements of the claimed invention however, the references fail to teach a scrubber that depends from the end of the wringer member. Facca teaches a self-wringing mop that has a scrubber (80) attached to the end of the wringer. It would have been obvious to one of ordinary skill in the art at the time the invention

was made to modify Specht, Yates and Morad's present inventions to include a scrubbing member as taught by Facca to improve the cleaning efficacy of their mop (col. 3, lines 4-18).

14. Claims 6 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Specht (USPN 6427280), Yates (USPN 5060338) and Morad (USPN 6125494) all in view of Wilen (USPN 5913347).

Specht, Yates and Morad teach all the essential elements of the claimed invention however, the references fail to teach a means at the ends of the mop element that would retard linear movement of the mop strands in the wringer member. Wilen teaches a mop head that has tape (48) encircling several stands of the mop. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Specht, Yates and Morad's present inventions to include a securing means such as tape as taught by Wilen to maintain the relationship of the mopping yarns while also retarding linear movement of the mop when wringing.

#### *Allowable Subject Matter*

15. Claims 4-5, and 11-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 15-20 would be allowable if applicant is able to overcome the objection to claims 15 and 17 and the 112 rejection to claim 19.

Claims 4, 11 and 15 state the limitation of a tubular member rotatable coupled to the wringing member having a second obstructing means on the interior wall surface. The prior art fails to teach a second tubular wringing member having a second obstructing means nor would it

have been obvious to modify the prior art to obtain the invention as claimed in claims 4, 11 and 15.

***Conclusion***

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shay L Balsis whose telephone number is 703-305-7275. The examiner can normally be reached on 7:30-5:00 M-Th, alternating F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert J. Warden can be reached on 703-308-2920. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5665.

slb  
9/25/03



ROBERT J. WARDEN, SR.  
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